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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 26 May 2015 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a summary of the reaction of the international community to the unlawful so-called "parliamentary elections" organized by the Republic of Armenia on 3 May 2015 in the occupied territories of the Republic of Azerbaijan (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 33 and 38, and of the Security Council.

(*Signed*) Yashar Aliyev
Ambassador
Permanent Representative

15-08324 (E) 030615

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Annex to the letter dated 26 May 2015 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Reaction of the international community to the unlawful so-called "parliamentary elections" organized by Armenia on 3 May 2015 in the occupied territories of Azerbaijan

On 3 May 2015, the Republic of Armenia conducted the so-called "elections" to the "parliament" of the puppet separatist regime that it had established in the occupied territories of the Republic of Azerbaijan.

The international community has overwhelmingly united with the Republic of Azerbaijan in rejecting this mock "election" exercise and not recognizing as legitimate the situation created through the use of force against the territorial integrity of Azerbaijan, accompanied by the notorious practice of ethnic cleansing and other flagrant violations of the peremptory norms of international law, as reflected in the statements by the European Union, the Organization for Security and Cooperation in Europe (OSCE), the Organization of Islamic Cooperation, the North Atlantic Treaty Organization, by the Russian Federation, France and the United States of America, both individually and in their capacity as Co-Chairs of the OSCE Minsk Group, and by many other countries.

Below are excerpts from statements made by international organizations and individual States.[a]

In his statement made on 22 April 2015, the Secretary-General of the Organization of Islamic Cooperation (OIC), Iyad Ameen Madani, condemned the "elections" in the occupied Nagorno-Karabakh region of the Republic of Azerbaijan and stated that the "elections" are illegal and in contravention of the resolutions of the United Nations Security Council, the Organization of Islamic Cooperation and the Organization for Security and Cooperation in Europe. The OIC Secretary-General called upon the international community to condemn the "elections" as illegitimate and reiterated "the constant principled position of the Organization of Islamic Cooperation supporting the efforts made by the Republic of Azerbaijan towards a peaceful solution to the territorial conflict in the frame of the relevant international resolutions and on the basis of respect for the principles of territorial integrity of States and inviolability of internationally recognized borders".[b]

The Co-Chairs of the OSCE Minsk Group, Igor Popov of the Russian Federation, James Warlick of the United States of America, and Pierre Andrieu of France, in their statement dated 30 April 2015, noted, inter alia, that "none of [their] three countries, nor any other country, recognizes Nagorno-Karabakh as an independent and sovereign state". The Co-Chairs stated that they "do not accept the results of these 'elections' as affecting the legal status of Nagorno-Karabakh", and stressed that "they in no way prejudge the final status of Nagorno-Karabakh or the

[a] Full texts of statements were retrieved from sources indicated in succeeding footnotes.

[b] "The Secretary-General of the Organization of Islamic Cooperation condemns the holding of the so-called 'parliamentary elections' in occupied Nagorno-Karabakh", 22 April 2015, retrieved from www.oic-oci.org/oicv2/topic/?t_id=10006&ref=3965&lan=en&x_key=karabakh.

outcome of the ongoing negotiations to bring a lasting and peaceful settlement to the Nagorno-Karabakh conflict".[c]

The Spokesperson of the European External Action Service of the European Union, Catherine Ray, stated on 1 May 2015 that "in view of ... 'parliamentary elections' in Nagorno-Karabakh on 3 May, ... the European Union does not recognize the constitutional and legal framework within which they are being held" and that "these procedures cannot prejudice the determination of the future status of Nagorno-Karabakh or impact on the negotiation process".[d]

The Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Ivica Dacic, stated on 4 May 2015 that "talks are under way, aimed at reaching a long-term, peaceful solution to the Nagorno-Karabakh conflict, and 'parliamentary elections' held in the area do not impact either the talks or their outcome in any way". He further reiterated that "OSCE does not recognize the independence of Nagorno-Karabakh or the results of the 'parliamentary elections'".[e]

The Deputy Assistant Secretary-General for Political Affairs and Security Policy of the North Atlantic Treaty Organization (NATO) and the NATO Secretary-General's Special Representative for the Caucasus and Central Asia, James Appathurai, stated on 4 May 2014 that, "with regard to the 'parliamentary elections' ... in Nagorno-Karabakh, NATO does not accept the results of these 'elections' as affecting the legal status of Nagorno-Karabakh, nor do they prejudge the outcome of the ongoing negotiations to bring a lasting and peaceful settlement to the Nagorno-Karabakh conflict".[f]

The Federal Department of Foreign Affairs of Switzerland stated on 17 March 2015 that "in accordance with the principles of international law and in full respect of the territorial integrity and sovereignty of the Republic of Azerbaijan, it considers the so-called election ... null and void".[g]

The Ministry of Foreign Affairs of Latvia stated on 17 March 2015 that "[it] has never recognized the so-called election in Nagorno-Karabakh and will not recognize the upcoming 'parliamentary elections' in May" and expressed its conviction that "the conflict over Nagorno-Karabakh should be resolved only by using peaceful means, based on the basic principles of international law and the sovereignty and territorial integrity of countries".[h]

The Ministry of Foreign Affairs of the Russian Federation stated on 5 March 2015 that Russia "does not recognize Nagorno-Karabakh as an independent state" and "does not believe that the process of peaceful settlement of the conflict could depend on holding 'parliamentary elections' there". According to the Ministry of Foreign

[c] Press release by the Minsk Group Co-Chairs, 30 April 2015, retrieved from www.osce.org/mg/154721.

[d] Retrieved from http://eeas.europa.eu/statements-eeas/2015/150501_01_en.htm.

[e] "Dacic: Full support to OSCE Minsk Group", 4 May 2015, retrieved from www.tanjug.rs/full-view.aspx?izb=177100.

[f] Retrieved from Mr. Appathurai's official Facebook page.

[g] Statement by the Federal Department of Foreign Affairs of the Swiss Confederation to the Trend News Agency, 17 March 2015, retrieved from http://en.trend.az/azerbaijan/karabakh/2375003.html.

[h] Statement by the Press Secretary of the Ministry of Foreign Affairs of Latvia, Ivars Lasis, to the Trend News Agency, 17 March 2015, retrieved from http://en.trend.az/azerbaijan/politics/2375057.html.

Affairs of the Russian Federation, "it is important now for the parties to concentrate on resolving outstanding issues which impede the beginning of work on the peace agreement itself", and "Russia, for its part, will assist the parties in reaching a sustainable peace settlement in close collaboration with co-chair partners".[i]

As the French Co-Chair of the OSCE Minsk Group, Pierre Andrieu, noted on 29 April 2015, "nobody recognizes this so-called 'Nagorno-Karabakh Republic'", "and for us, these elections, certainly, will be illegitimate".[j]

The Ministry of Foreign Affairs of Turkey stated on 30 April 2015 that the "so-called 'parliamentary elections' ... in Nagorno-Karabakh, which has been under occupation of Armenia for more than 20 years, ... constitute a clear breach of the principles of international law, United Nations Security Council resolutions and the principles of OSCE" and "is an attempt to hamper the efforts to bring a lasting solution to the Nagorno Karabakh conflict through peaceful means". Turkey condemned that action as a new violation of the sovereignty and territorial integrity of Azerbaijan, stated its non-recognition of the results of the illegitimate elections and reiterated its support for the efforts to find a just and lasting solution to the Nagorno-Karabakh conflict.[k]

The United States Department of State stated on 1 May 2015 that "the United States does not recognize Nagorno-Karabakh as an independent sovereign state and, accordingly, ... will not accept the results of the elections on 3 May as affecting the legal status of Nagorno-Karabakh".[l]

In its statement of 1 May 2015 regarding the so-called "parliamentary elections" in Nagorno-Karabakh, the Ministry of Foreign Affairs and Cooperation of Spain reiterated that "these elections are not valid or legitimate", noting in particular that "this territory seceded by force, against international law, and has not been recognized by Azerbaijan". The Government of Spain called upon the parties "to move forward with negotiations, in order to stop upholding the current status quo and achieve a long-lasting political solution to the conflict in Nagorno-Karabakh, in application of the basic principles of the United Nations Charter and the Helsinki Final Act, which will allow for a strengthening of peace and security in the region".[m]

In its statement of 4 May 2015, the Ministry of Foreign Affairs of the Czech Republic underlined that "the Czech Republic does not recognize the constitutional and legal framework within which these elections were being held" and that "such unilateral acts do not contribute to the strengthening of mutual confidence and

[i] Statement by the Spokesperson of the Ministry of Foreign Affairs of the Russian Federation, Alexander Lukashevich (unofficial translation from Russian), retrieved from http://azembassy.ru/pressa/release/2015/05.03.15.html.

[j] Excerpt from an interview of Pierre Andrieu with the Interfax Azerbaijan News Agency (translated from Russian), retrieved from http://interfax.az/view/638474.

[k] Press release No. 138 of the Ministry of Foreign Affairs of the Republic of Turkey regarding the "parliamentary elections" to be held in Nagorno-Karabakh on 3 May 2015, 30 April 2015, retrieved from www.mfa.gov.tr/default.en.mfa.

[l] Press statement by the Acting Deputy Spokesperson of the United States Department of State, Jeff Rathke, 1 May 2015, retrieved from www.state.gov/r/pa/prs/dpb/2015/05/241412.htm#AZERBAIJAN.

[m] Statement by the Ministry of Foreign Affairs and Cooperation of Spain, 1 May 2015, retrieved from http://www.exteriores.gob.es/Portal/en/SalaDePrensa/Comunicados/Paginas/2015_COMUNICADOS/20150501_COMU126.aspx.

creation of a positive atmosphere for the solution of the conflict in Nagorno-Karabakh". The Czech Republic expressed its support for the peaceful solution of the conflict based on the principles of international law, including the principles of sovereignty, territorial integrity and inviolability of internationally recognized borders.[n]

The Ministry of Foreign Affairs of Georgia stated on 4 May 2015 that it "reaffirms its support for Azerbaijan's sovereignty and territorial integrity and does not recognize the so-called 'parliamentary elections' held on 3 May 2015 in the Nagorno-Karabakh region of the Republic of Azerbaijan".[o]

In its statement of 4 May 2015, the Ministry of Foreign Affairs of Ukraine underlined that "Ukraine does not recognize the so-called 'parliamentary elections' held on 3 May 2015 in the territory of Nagorno-Karabakh and considers them illegitimate" and that "the results of these 'elections' in the occupied territories of Azerbaijan can have no legal effects". Ukraine also expressed its support for the peaceful settlement of the Nagorno-Karabakh conflict on the basis of respect for the sovereignty and territorial integrity of the Republic of Azerbaijan within its internationally recognized borders.[p]

The Ministry of Foreign Affairs of Romania stated on 4 May 2015 that it "considers illegitimate the legal framework under which have been organized the so-called 'parliamentary elections' on 3 May 2015 in the separatist region of Nagorno-Karabakh", and reiterated its "consistently asserted principled position of non-recognition of the independence of the Nagorno-Karabakh region".[q]

The Ministry of Foreign Affairs of Slovenia stated on 5 May 2015 that, "in view of reports about 'parliamentary elections' in Nagorno-Karabakh on 3 May, Slovenia reiterates that it does not recognize the legal framework within which they were held" and that "these procedures cannot prejudice the determination of the future status of Nagorno-Karabakh or impact the negotiation process".[r]

The Minister for Foreign Affairs of Estonia, Keit Pentus-Rosimannus, stated on 5 May 2015 that "Estonia does not recognize the independence of Nagorno-Karabakh and therefore does not consider the results of the so-called parliamentary election held on 3 May to be legitimate or valid". According to the Minister, "the Nagorno-Karabakh conflict must be resolved and security and stability in the entire

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[n] Statement of the Ministry of Foreign Affairs of the Czech Republic on "parliamentary elections" in Nagorno-Karabakh, 4 May 2015, retrieved from www.mzv.cz/jnp/en/issues_and_press/mfa_statements/x2015_05_04_mfa_statement_nagorno_karabakh.html.

[o] Statement by the Ministry of Foreign Affairs of Georgia, 4 May 2015, retrieved from www.mfa.gov.ge.

[p] Statement by the Ministry of Foreign Affairs of Ukraine, 4 May 2015 (unofficial translation from Russian), retrieved from http://mfa.gov.ua/ua/press-center/comments/3390-zajava-rnzs-ukrajini-shhodo-tzv-parlamentsykih-viboriv-u-nagirnomu-karabasi.

[q] Press release of the Ministry of Foreign Affairs of Romania on the so-called "parliamentary elections" in the separatist region of Nagorno-Karabakh, 4 May 2015 (unofficial translation from Romanian), retrieved from http://mae.ro/node/31895.

[r] "Slovenia does not recognize 'parliamentary elections' in Nagorno-Karabakh", statement by the Ministry of Foreign Affairs of Slovenia, 5 May 2015, retrieved from www.mzz.gov.si/nc/en/newsroom/news/article/6/35161/Cbb49c27ee834158eb6eb00de9909f72.

region must be achieved as a result of international negotiations", while "the region's status cannot be influenced by holding illegal elections".[s]

The Ministry of Foreign Affairs of the Islamic Republic of Iran stated on 6 May 2015 that "the Islamic Republic of Iran is against any actions that would threaten the stability and security in the region" and, therefore, "does not recognize the elections held in the geographic area called Nagorno-Karabakh". According to the Ministry of Foreign Affairs of the Islamic Republic of Iran, this sort of action only complicates the resolution of problems in the region.[t]

The Ministry of Foreign Affairs of the People's Republic of China stated on 8 May 2015 that "China's position on the issue of Nagorno-Karabakh is clear and consistent" and expressed hope that the "parties concerned will find a mutually acceptable solution through consultation and dialogue based on well-recognized norms of international law and relevant resolutions of the United Nations Security Council".[u]

The Ministry of Foreign Affairs of Pakistan, on 14 May 2015, stated that "the parliamentary election held on 3 May 2015 in Nagorno-Karabakh, occupied territory of the Republic of Azerbaijan, is a clear violation of international norms" and "a clear breach of international law and United Nations Security Council resolutions", "taken as an attempt to hamper the efforts to bring a lasting solution to the Nagorno-Karabakh conflict through peaceful means". Pakistan reiterated its support for the sovereignty and territorial integrity of Azerbaijan.[v]

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[s] "Estonia considers the so-called parliamentary elections in Nagorno-Karabakh illegal", statement by the Ministry of Foreign Affairs of Estonia, 5 May 2015, retrieved from http://vm.ee/en/news/estonia-considers-so-called-parliamentary-elections-nagorno-karabakh-illegal.

[t] Statement at the weekly press conference by the Spokesperson of the Ministry of Foreign Affairs of the Islamic Republic of Iran, Marziyeh Afkham, 6 May 2015 (unofficial translation from Persian), retrieved from www.mfa.gov.ir/index.aspx?siteid=1&pageid=176&newsview=:339505.

[u] Statement at the press conference of the Spokesperson of the Ministry of Foreign Affairs of the People's Republic of China, Hua Chunying, held on 8 May 2015, retrieved from www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2535_665405/t1261981.shtml.

[v] Statement by the Spokesperson of the Ministry of Foreign Affairs of Pakistan, Qazi M. Khalilullah, at the press briefing held on 14 May 2015, retrieved from www.mofa.gov.ple/pr-details.php?mm=:Mjc5MQ.

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Letter dated 20 May 2015 from the Secretary-General addressed to the President of the Security Council

On 8 May 2014, the Security Council adopted resolution 2154 (2014), by which it created the Captain Mbaye Diagne Medal for Exceptional Courage, to be awarded to those military, police and civilian United Nations personnel and associated personnel who demonstrated exceptional courage in the face of extreme danger while fulfilling the mandate of their missions or their functions in the service of humanity and the United Nations. I was requested to submit to the Council, in due course, the modalities for determining how the recipients of the Medal would be nominated and chosen, on the basis of the criteria set forth in the resolution. In my letter to the President of the Council dated 16 December 2014 (S/2014/946), I advised the Council of the intended modalities for the award of the Medal, including the criteria to be applied, my intention to award the medal at a ceremony on the International Day of United Nations Peacekeepers and that the eligibility period was to begin on the day after 8 May 2014, the date of the adoption of resolution 2154 (2014).

In the absence of a response from the Security Council, I have proceeded with the implementation of resolution 2154 (2014) along the lines of my letter of 16 December 2014 and requested nominations from all United Nations field missions. In parallel, the Secretariat has conducted consultations with interested Member States, as a result of which I propose to amend two aspects of my original submission: the date of the award ceremony and the period of eligibility for the first award. With regard to the ceremony, I intend to move it to coincide with the peacekeeping summit to be held in September 2015, in the context of the seventieth anniversary of the United Nations, to elevate the profile of the Medal and, by extension, to honour the work of the military, police and civilian United Nations personnel and associated personnel in the service of humanity.

In view of the small number of nominations received to date, I also intend to extend the period of eligibility for the award of the Medal to 1 January 2007, which marks the beginning of my tenure as Secretary-General. This will make it possible to document evidence of remarkable courage in circumstances that meet the criteria established under resolution 2154 (2014) and open up the possibility of considering additional worthy candidates to be honoured for exceptional courage, as exemplified by the extraordinary bravery of Captain Mbaye Diagne.

I wish to confirm that the design and other modalities for the award of the medal set out in my letter of 16 December 2014 would remain unchanged.

(*Signed*) BAN Ki-moon

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